

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

April 10, 2001 LB 462

the matter is that only a majority of us present could sustain or overrule the Chair. And I haven't completely done this without notice to those of my colleagues who are responsible for our process and procedure, because I don't think that would be appropriate. But this motion, the appeal of the Chair's ruling illustrates the dilemma that one faces sometimes in a situation in which we find ourselves continually confronted with the rule of the non...nonmajority. If the Chair were to be overruled by a majority and 25 people were to vote then to advance the bill, as I read our rules and Mason's rules and try to reconcile the two together, then we would be complying with the philosophy that Mason sets forth continually, and that is that the body is governed by the majority. Now this seems like an appropriate time to say that even though we have a rule to suspend, and I forgot to say it this morning and I wanted to because I think it's a part of being honest, even though we have a rule that says you can suspend the rules with a vote of 30 people, I wanted to candidly admit this morning that I'm not certain 30 people were going to vote to suspend our rules because they weren't comfortable doing so, it not being our tradition and a well-ingrained part of our process and procedure. Now we adopt the rules by a majority; we can amend the rules by a majority; and, in fact, Mason's provides that...that the majority cannot make it more difficult than a majority in order to change the rules. There's an emphasis on the majority, and yet the proponents here on the instant bill find ourselves in a situation where we would have 25 votes, don't think we maybe had 30 to suspend, and maybe would have had a ruling against the process that I...or the procedure that I used to...filing the motion to suspend early, and may not have 33 for cloture, but, by overruling the Chair and by calling the question on the main motion, at 25 we could advance the bill. And that's what hard fought debate and process and procedure drives you to think about. But then as you discuss it with your colleagues, you find out that people are uncomfortable with that. The reason I decided to go ahead with it, irrespective of how I dispose of it, is to make a point. There are parliamentary and legislative bodies in which the majority rules. We have fallen into, and I think...I hope I gave adequate and appropriate tribute to Senator Chambers' capabilities. But one of the things that I appreciate about him is that he has never asked for any slack,